

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS

BEAUMONT DIVISION

BRETT MICHAEL BLASIRUE	§	
VS.	§	CIVIL ACTION NO. 1:16-CV-288
DALLAS JONES	§	

REPORT AND RECOMMENDATION  
OF UNITED STATES MAGISTRATE JUDGE

Petitioner Brett Michael Blasirue, a federal prisoner confined in Beaumont, Texas, proceeding *pro se*, filed this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241.

The above-styled action was referred to the undersigned magistrate judge pursuant to 28 U.S.C. § 636 and the Local Rules for the Assignment of Duties to the United States Magistrate Judge for findings of fact, conclusions of law, and recommendations for the disposition of the case.

Discussion

Petitioner contends that his constitutional rights were violated during a disciplinary proceeding conducted on incident report number 2657863. Respondent asserts that the disciplinary conviction has been expunged from petitioner's prison records, and the good time he forfeited as a result of the disciplinary conviction has been restored. Because petitioner received the relief he sought, the petition is now moot. *See Bailey v. Southerland*, 821 F.2d 277, 278 (5th Cir. 1987). As a result, the petition for writ of habeas corpus should be dismissed.

Recommendation

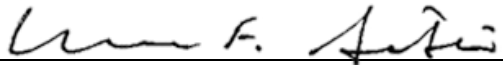
This petition for writ of habeas corpus, brought pursuant to 28 U.S.C. § 2241, should be dismissed as moot.

### Objections

Within fourteen days after receipt of the magistrate judge's report, any party may serve and file written objections to the findings of facts, conclusions of law and recommendations of the magistrate judge. 28 U.S.C. § 636(b)(1)(C).

Failure to file written objections to the proposed findings of facts, conclusions of law and recommendations contained within this report within fourteen days after service shall bar an aggrieved party from *de novo* review by the district court of the proposed findings, conclusions and recommendations and from appellate review of factual findings and legal conclusions accepted by the district court except on grounds of plain error. *Douglass v. United Services Automobile Association*, 79 F.3d 1415, 1417 (5th Cir. 1996) (en banc); 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72.

**SIGNED** this 16 day of December, 2016.

  
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KEITH F. GIBLIN  
UNITED STATES MAGISTRATE JUDGE